

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

McNEIL NUTRITIONALS, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-69-GMS
	)	
THE SUGAR ASSOCIATION, THE	)	
AMALGAMATED SUGAR COMPANY,	)	
AMERICAN CRYSTAL SUGAR COMPANY,	)	
AMERICAN SUGAR CANE LEAGUE,	)	
AMERICAN SUGAR REFINING, INC.,	)	
ATLANTIC SUGAR ASSOCIATION,	)	
HAWAIIAN SUGAR & TRANSPORTATION	)	
COOPERATIVE, IMPERIAL SUGAR	)	
COMPANY, MICHIGAN SUGAR COMPANY,	)	
MINN-DAK FARMERS COOPERATIVE,	)	
OKEELANTA CORPORATION, OSCEOLA	)	
FARMS COMPANY, RIO GRANDE VALLEY	)	
SUGAR GROWERS, INC., SOUTHERN	)	
MINNESOTA BEET SUGAR COOPERATIVE,	)	
SUGAR CANE GROWERS COOPERATIVE OF	)	
FLORIDA, UNITED STATES SUGAR	)	
CORPORATION, WESTERN SUGAR	)	
COOPERATIVE, WYOMING SUGAR LLC,	)	
AMERICAN SUGARBEET GROWERS	)	
ASSOCIATION, and QORVIS	)	
COMMUNICATIONS, LLC,	)	
	)	
Defendants.	)	

**NOTICE OF DEPOSITION OF MICHAEL PERTRUZELLO**

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, and the Court's Memorandum and Order in this action dated April 29, 2005 (D.I. 38), plaintiff McNeil Nutritionals, LLC will take the deposition upon oral examination of Michael Pertruzello of defendant Qorvis Communications, LLC, on June 8, 2005 at 10:00 a.m., before an officer qualified to administer oaths at the offices of Patterson, Belknap, Webb & Tyler

LLP, 1133 Avenue of the Americas, New York, New York 10036. The examination will continue from day to day until completed.

ASHBY & GEDDES

*/s/ John G. Day*

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Dated: May 9, 2005  
156985.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9<sup>th</sup> day of May, 2005, the attached **NOTICE OF DEPOSITION OF MICHAEL PERTRUZELLO** was served upon the below-named counsel of record at the address and in the manner indicated:

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VIA FEDERAL EXPRESS

*/s/ John G. Day*

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John G. Day